

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

B.P.J. by her next friend and mother, HEATHER JACKSON,

*Plaintiff,*

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

*Defendants,*

and

LAINEY ARMISTEAD,

*Defendant-Intervenor.*

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

**SECOND SUPPLEMENTAL DECLARATION OF LOREE STARK**

I, Loree Stark, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the Legal Director of the ACLU of West Virginia and counsel of record for Plaintiff B.P.J., with her next friend and mother, Heather Jackson. The following is true of my own personal knowledge, and, if called as a witness, I would and could testify competently thereto.

2. I submit this declaration in support of Plaintiff B.P.J.'s reply in support of her motion for summary judgment.

3. Attached to this declaration are true and correct copies of the documents listed in the table below.

Exhibit	Description
<b>Expert Reports, Deposition Transcripts, and Exhibits</b>	
64	Errata of Chad Carlson, M.D., FACSM, May 11, 2022
<b>Other Documents</b>	
65	WVSSAC000223-224, Email from D. Swartos to B. Dolan, May 6, 2019
66	Handelsman, David, et al., <i>Circulating Testosterone as the Hormonal Basis of Sex Differences in Athletic Performance</i> , Pediatrics, 142(4), Endocrine Reviews, 39: 803–829, doi: 10.1542/peds.2018-2162.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 26, 2022

/s/ Loree Stark  
Loree Stark

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FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

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*Plaintiff,*

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WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

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**CERTIFICATE OF SERVICE**

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I, Loree Stark, do hereby certify that on this 21st day of April, 2022, I electronically filed a true and exact copy of the foregoing document with the Clerk of Court and all parties using the CM/ECF System.

*/s/ Loree Stark*

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Loree Stark

West Virginia Bar No. 12936